

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 2, 4-18 and 20-23 are pending in this application. Claims 1, 17, and 21, which are independent, are hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed and specifically on pages 11-12. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 4, 10, 14, 15, 17 and 20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,101,393 to Alperovich, et al. (hereinafter, merely "Alperovich") in view of U.S. Pub. No. 2003/0003930 to Allison, et al. (hereinafter, merely "Allison").

Claims 2, 5, 8, 9, 11, 12, 18 and 22 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Alperovich in view of Allison and further in view of U.S. Patent No. 6,108,559 to Astrom, et al. (hereinafter, merely "Astrom").

Claims 6, 7, 9, 12, 13, 16 and 23 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Alperovich in view of Allison and further in view of U.S. Pub. No. 2003/0012348 to Skladman, et al. (hereinafter, merely "Skladman").

Claim 21 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Allison in view of Alperovich.

Claim 1 recites, *inter alia*:

"A method of controlling delivery of text messages to a subscriber...

wherein a routing query from another network made in response to a request from a user associated with said another network, is arranged to be **intercepted by a signal processing means provided in said home network, the signal processing means detecting that the subscriber has previously made a selection as to a chosen mode of delivery,**" (Emphasis added)

As understood by Applicants, Alperovich relates to the selective acceptance and rejection of point-to-point short messages. Selective acceptance of short messages enables a cellular subscriber to predetermine which short message will actually be delivered to the subscriber's mobile station.

As understood by Applicants, Allison relates to communicating between subscribers of different application-layer mobile communications protocols and more particularly to establishing calls and forwarding short message service messages between ANSI IS-41 mobile subscribers and GSM mobile subscribers.

Applicants submit that Alperovich and Allison, taken either alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, there

is no teaching or suggestion of a method of controlling delivery of text messages to a subscriber wherein a routing query from another network made in response to a request from a user associated with said another network, is arranged to be intercepted by a signal processing means provided in said home network, the signal processing means detecting that the subscriber has previously made a selection as to a chosen mode of delivery, as recited in independent claim 1.

The Office Action asserts that routing node 100 as taught by Allison obviates the signal processing means of claim 1. However, Allison does not teach or suggest that the routing node 100 detects that the subscriber has previously made a selection as to a mode of delivery.

Further, it is respectfully submitted that although Alperovich and Allison are generally related to mobile telecommunications networks, each of these references addresses separate problems. Alperovich is concerned with problems of a single protocol domain to allow users to determine whether they want to receive messages from one or more particular sender. On the other hand Allison is concerned with addressing issues related to protocol mismatch. Because these two references are directed to addressing mutually exclusive problems it is submitted that there is no teach or suggestion in either of these documents which would direct one of skill in the art to the other, or suggest their combination. Further, as discussed above, even if combined the two references fail to teach each and every limitation of independent claim 1. Furthermore, the shortcomings of Alperovich and Allison are not addressed by Astrom and Skladman.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 17 and 21 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 17 and 21 are patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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